



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Stager et al.

Application No.: 10/772,643

Confirmation No.: 5771

Filed: February 5, 2004

For: METHOD AND SYSTEM FOR
MAINTAINING DATA IN A
CONTINUOUS DATA PROTECTION
SYSTEM

Group: 2165

Examiner: Farhan M. Syed

Our File: NET-P01-2287.01

Date: October 25, 2006

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Further to Applicants' Duty of Disclosure pursuant to 37 C.F.R. §1.56, Applicants wish to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form, which was cited in an office action in related co-pending U.S. Application No. 10/772,017. Newly cited documents are indicated by an asterisk (*).

The fee set forth in 37 C.F.R. §1.17(p) is enclosed.


Pursuant to 37 C.F.R. §1.98(a)(2)(ii), copies of the cited U.S. publications and patent documents have not been included.

Applicant: Stager et al.
Application No.: 10/772,643

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.


Respectfully submitted,

Stager et al.

By 
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SJG/mnr
Enclosure

 FORM PTO-1449		ATTY. DOCKET NO. NET-P01-2287.01	SERIAL NO. 10/772,643
U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		APPLICANT Stager et al.	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary)		FILING DATE February 5, 2004	GROUP 2165
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			
		"Alacritus Software's Securitrus I: Pointing the Way to Virtual Tape Libraries" Aberdeen Group, Inc., March 2002.	
		"Continuous Data Protection: Business Continuity for the Era of Networked Storage: An Executive White Paper" Aberdeen Group, Inc., July 2003.	
		"Alacritus Software's Chronospan: Make Time for Continuous Data Protection" Aberdeen Group, Inc., October 2003.	
		Hill, David "Alacritus Software's Securitrus: Defining the Way to Virtual Tape Libraries" Aberdeen Group, Inc., July 2003.	
		"Alacritus Software's Securitrus: Defining the Way to Virtual Tape Libraries" Aberdeen Group, Inc., July 2003.	
		"Product Brief: Rhapsody/Alacritus-Secritus/XPath Virtual Tape in the Fabric" The Enterprise Storage Group, August 2002.	
		"Alacritus Software Announces Securitrus I, The Industry's First Virtual Tape Library Solution: Securitrus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., June 25, 2001.	
		"Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library Appliance: Industry's First Virtual Tape Library Appliance to Replace Storage Tape Libraries" Alacritus Software, Inc., June 25, 2001.	
		"Hitachi CP, Nissho, and Alacritus Software Bring Virtual Tape Library Appliance Solution to Market: Three Companies Join to Deliver VTLA Smart Guard – A Disk Subsystem Product that Functions as a Virtual Storage Tape Library" Alacritus Software, Inc., October 3, 2001.	
		Trimmer, Don, "Tape Free Backup/Recovery: Requirements and Advantages: Virtualization Technology Will Encompass Many Applications, One of the Most Significant Possibly Being Backup/Recovery" InfoStor, March 2002.	
		"Alacritus Software Announces Virtual Tape Library Support for Legato NetWorker Data Protection Solution" Alacritus Software, Inc., January 8, 2002.	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		Camphuisen, Alicia, "Hitachi Inks OEM Deal with Legato" Knapp Comm., July 17, 2002.	
		"Alacritus Announces Disk-Based Successor to Tape" Knapp Comm., August 21, 2002.	
		Biggar, Heidi, "Alacritus Enables Disk-Based Backup" InfoStor, September 2001.	
		"Securitus I White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Software, Inc., July 2001.	
		"Alacritus Software FAQs" Alacritus Software, Inc., July 2001.	
		"Disk-Based Data Protection" Alacritus Software, Inc., July 2001.	
		"Virtual Tape Library Technology Brochure" Alacritus Software, Inc., July 2001.	
		"Disk-Based Data Protection" Alacritus Software, Inc., September 2001.	
		"Disk-Based Data Protection" Alacritus Software, Inc., September 2002.	
		Payack, Paul JJ, "Alacritus Lines Up OEM Partners for Virtual Tape Library Push" The (451) Storage & Systems, October 4, 2002.	
		Payack, Paul JJ, "Alacritus Software Announces Continuous Data Protection with New Chronospan Technology" October 28, 2003.	
		Payack, Paul JJ, "Alacritus Software Announces New Customers for Securitus VTLA" Alacritus Software, January 13, 2004.	
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		Baltazar, Henry "Weaving Apps Into SAN Fabric" eWEEK, March 24, 2003.	
		Baltazar, Henry "More Intelligence is on the Way" eWEEK, September 15, 2003.	
		Barrett, Alex "The Case for Network Smarts" Storage Magazine, June 2003.	
		"Securitus White Paper: Disk Based Data Protection from Alacritus Software" Alacritus Website, October 2003.	
		"Manageability: Securitus v. Tape" Alacritus Website, October 2003.	
		"The SNIA Data Management Forum Created to Tackle Data Protection and Information Lifecycle Management Issues: Enhanced Backup Solutions Initiative Rolls Efforts into New SNIA Forum" Storage Networking Industry Association, October 13, 2003.	
		"No Changes Required: Securitus v. Tape" Alacritus Website, October 2003.	
		"Customer Success" Alacritus Website, October 2003.	
		"Chronospan" Alacritus Website, October 2003.	
		"Alacritus Software Announces Securitus I, the Industry's First Virtual Tape Library Solution: Securitus I Heralds Advent of 'Disruptive Technology' that Serves as Replacement to Tape Libraries" Alacritus Software, Inc., April 9, 2002.	
		Biggar, Heidi, "Disk and Tape Forge New Partnership in Backup Arena" InfoStor, November 2001.	
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		Preston, W. Curtis, "Surprise! Cheap Disks Cure Slow Backup" Storage Magazine, June 1, 2002.	
		"Alacritus, Hitachi CP and Nissho Team to Create Virtual Tape Library" internetnews.com, June 25, 2001.	
		"Alacritus Software and Rhapsody Networks to Develop Breakthrough Backup Solutions for Storage Networks: Companies to Provide First Network-Intelligent Virtual Tape Solution Resulting in Dramatic ROI, Increases in Data Backup Performance and Scalability" Alacritus Software, July 8, 2002.	
		Komiega, Kevin, "Vendor Pushes Disk Backup Over Tape" SearchStorage.com January 10, 2003.	
		"Testimonials" Alacritus Website, October 2003.	
		"Seamless Integration" Alacritus Website, October 2003.	
		"Topologies" Alacritus Website, October 7, 2003.	
		"Securitus" Alacritus Website, October 2003.	
		"Scalability: Securitus v. Tape" Alacritus Website, October 2003.	
		"Strengths: Securitus v. Tape " Alacritus Website, October 2003.	

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U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	*	5,673,382	09/1997	Cannon et al.			
	*	6,266,784	07/2001	Hsiao et al.			
	*	7,032,126	04/2006	Zalewski et al.			
	*	2004/0181707	09/2004	Fujibayashi, Akira			
	*	2005/0010529	01/2005	Zalewski et al.			

FOREIGN PATENT DOCUMENTS								
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

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